

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 601

BY EDUCATION COMMITTEE

AN ACT

RELATING TO BUILDING CODES AND SCHOOLS; AMENDING SECTION 39-4113, IDAHO CODE, TO REVISE CRITERIA FOR PLAN REVIEWS AND FOR INSPECTIONS FOR PUBLIC SCHOOLS; AND AMENDING 39-8007, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 39-4113, Idaho Code, be, and the same is hereby amended to read as follows:

39-4113. PLAN REVIEWS -- MAXIMUM FEES AND SCHOOL INSPECTIONS. (1) The administrator shall establish a program for plan reviews and permit issuance entirely within the division of building safety. Plan reviews shall be for the provisions of this chapter and chapter 10, title 54, Idaho Code, chapter 26, title 54, Idaho Code, chapter 50, title 54, Idaho Code, and chapter 86, title 39, Idaho Code, pertaining to construction, alteration or repair of buildings or structures within the scope of the division's jurisdiction pursuant to this chapter. Plans for schools reviewed by the division shall not include a review for compliance with the provisions of chapter 2, title 41, Idaho Code, or for local planning and zoning requirements.

(2) Plan review fees shall be established by rules promulgated by the board. Local governments elected by school districts to perform building plan reviews for public schools as provided for in this section shall not charge a fee for such review of building plans in excess of what the division has established by rule for building plan review services for public schools.

(3) Each manufacturer of commercial coaches and modular buildings shall submit the building plans for every model of such structure to the administrator for the purpose of review.

(4) (a) Public school building plans shall be approved by either the local government or the division of building safety, whichever the school district elects. Any city or county that has adopted by ordinance all the applicable codes pursuant to section 39-4109, Idaho Code, and the codes as permitted in chapter 10, title 54, Idaho Code, chapter 26, title 54, Idaho Code, and chapter 50, title 54, Idaho Code, shall be eligible to perform school plan reviews only if the following additional requirements are met: plans examiners performing building and energy code plan reviews shall hold current certification as a commercial building plans examiner by the International Code Council; examiners performing plumbing code plan reviews shall hold current certification as a plumbing inspector by the international association of plumbing and mechanical officials and shall be a licensed Idaho journeyman plumber; examiners performing electrical code plan reviews shall hold current certification as an electrical

inspector by the national certification program for construction code inspectors and shall be a licensed Idaho journeyman electrician; and examiners performing mechanical code plan reviews shall hold current certification as a commercial mechanical inspector by the International Code Council.

(b) ~~All plans examiners who perform plan reviews shall be full time employees of the division or the eligible local government in whose jurisdiction the public school facility is to be constructed~~ public school plan reviews shall be either an employee of the division, an employee of the local jurisdiction in which the school is to be constructed, or performing plan reviews under an interagency contract between local jurisdictions, and shall meet the eligibility requirements as provided in subsection (4) (a) of this section.

(c) An eligible local government may contract with the division for review of any portion of the plans for which the local government does not have a properly certified plans examiner. A county may be deemed eligible to perform plan review services only for those types of installations for which they have authority pursuant to this chapter and chapter 50, title 54, Idaho Code, to adopt an enforcement program. Where an eligible county performs the plan review services, the electrical and plumbing code plan reviews shall be performed by the division at the hourly rate as established in rule by the division. Any local government elected to perform plan review services for public schools shall provide the division a copy of all approved plans.

(d) Wherein the proposed work is valued in excess of one hundred thousand dollars (\$100,000), a school district may elect to utilize the school plan review services available from an eligible local government building code enforcement jurisdiction or from the division. Wherein the proposed work is valued at one hundred thousand dollars (\$100,000) or less, a school district may elect to use a local government without regard to the eligibility requirements in subsection (4) (a) of this section. Election by a school district shall be made by submitting a written certification to both the division and the involved local government.

(e) Public school plan review services provided by either the division or an eligible local jurisdiction pursuant to this section shall include a review of the following disciplines: building (structural and nonstructural), mechanical, fuel gas, plumbing, electrical, accessibility, elevators, boilers, and energy conservation. At a minimum, plan review services shall include:

(i) A technical examination of all drawings and construction documents; and

(ii) The approval of such drawings and construction documents by determining whether such are in accord with the codes adopted pursuant to sections 39-4109, 54-1001, 54-2601 and 54-5001, Idaho Code, as well as in compliance with applicable provisions of section 72-722, Idaho Code; and

(iii) A determination that the drawings and construction documents are in compliance, or noncompliance, with the applicable codes, code interpretation, and the identification

1 of approved modifications or alternative materials, design or
2 methods; and

3 (iv) The identification of the reviewing official(s), the date
4 upon which plans are approved, as well as a stamp or some other
5 similar mark on the plans evidencing approval.

6 (f) If a school district elects to utilize the plan review services
7 of the division, it shall submit to the division of building safety
8 three (3) sets of working drawings and specifications for new public
9 school buildings or facilities and additions or alterations to existing
10 facilities. The division will review the plans submitted to it pursuant
11 to this section for compliance with the current editions of the codes
12 specified in this chapter or within rules promulgated pursuant to this
13 chapter by the board and by section 39-8006, Idaho Code.

14 (5) Public school building plans must be approved by either the local
15 government or the division before the school district may advertise for
16 bids. Once plans are reviewed and approved pursuant to this section, no
17 material change can be made to such plans without review and approval of
18 such change by the jurisdiction performing the plan review. All school
19 construction or remodeling governed by this chapter shall be inspected by
20 building inspectors certified in accordance with section 39-4108, Idaho
21 Code, or by Idaho licensed architects or engineers to determine compliance
22 with this chapter and the Idaho uniform school building safety act, chapter
23 80, title 39, Idaho Code. Nothing in this section shall limit the authority
24 of local governments to issue building permits, perform fire code or
25 other zoning and land use related plan reviews or provide a full range of
26 building code enforcement activities as they relate to inspections of school
27 buildings or facilities sited within their jurisdiction regardless of the
28 election exercised by the school district pursuant to this section.

29 SECTION 2. That Section 39-8007, Idaho Code, be, and the same is hereby
30 amended to read as follows:

31 39-8007. POWERS AND DUTIES OF THE ADMINISTRATOR. (1) The
32 administrator shall enforce the provisions of this chapter in cooperation
33 with the superintendent of public instruction, the department of
34 administration, and the building code advisory board.

35 (2) The administrator shall promulgate rules necessary to carry out the
36 provisions of this chapter. Such rules shall be promulgated pursuant to the
37 provisions of chapter 52, title 67, Idaho Code.

38 (3) The administrator shall establish a program for the timely review
39 of public school construction plans as required by section 39-4113(4) ~~(e)~~,
40 Idaho Code.

41 (4) Upon request, the administrator shall provide training to school
42 districts on the Idaho uniform school building safety code.